



27 SEP 2007

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In re Application of
JENNEMAN et al.
Serial No.: 10/593,983
PCT No.: PCT/US05/13594
Int. Filing Date: 21 April 2005
Priority Date: 26 April 2004
Attorney's Docket No.: U 016480-4
For: INHIBITION OF BIOGENIC SULFIDE
PRODUCTION VIA BIOCIDES AND METABOLIC
INHIBITOR COMBINATION

DECISION ON SUBMISSION

This application is before the PCT Legal Office for consideration of matters arising under 35 U.S.C. 371 and is responsive to applicant's "REQUEST TO CHANGE ENTITY STATUS UNDER 37 CFR 1.28(c)" filed in the United States Patent and Trademark Office on 20 July 2007.

BACKGROUND

On 25 September 2006, applicant filed a Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371 (Form PTO 1390) along with, *inter alia*, the basic national fee.

On 24 May 2007, a Notification of Missing Requirements was mailed to applicant indicating that an oath or declaration, in compliance with 37 CFR 1.497(a) and (b) and the surcharge for filing the oath or declaration after the thirty month period was required.

On 20 July 2007, applicant filed the instant response, accompanied by executed declarations and signed by the inventors.

DISCUSSION

Each declaration does not identify all inventors identified on the published international application: Gary Jenneman, Anne Greene and Gerrit Voordouw. The declarations also fail to state the residency, citizenship and mailing address for all inventors. Rather, the declarations submitted are individual declarations identifying each individual inventor, with their respective residency, citizenship and mailing address. Thus, the declarations submitted on 20 July 2007 are unacceptable and do not meet the requirements of 37 CFR 1.497(a) and (b). See MPEP 1893.01(e). It is also noted that it appears that inventor Anne Greene has changed her name to

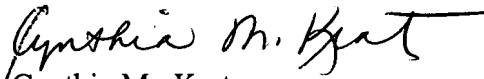
Anne Hicks. A petition under 37 CFR 1.182 is required, unless the International Bureau issued a Notification of the Recording of A Change (Form PCT/IB/306) correcting applicant/inventor Anne Greene's name to Anne Hicks under PCT Rule 92*bis*.1. If such is the case, a copy of the Form PCT/IB/306 should be submitted.

A review of the finance records for application 10/593,983 reveal that the fees have been corrected to eliminate the small entity status of this application.

CONCLUSION

The application will be forwarded to the DO/EO/US for further processing including issuance of a Notification of Defective Response indicating that a new declaration, in compliance with 37 CFR 1.497(a) and (b), is required.

Applicant's request to change the small entity status of the application is granted. The appropriate fees have been paid.



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